

1 AMENDMENT TO HOUSE BILL 1064

2 AMENDMENT NO. _____. Amend House Bill 1064 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Sections 2-110 and 14-105.1 as follows:

6 (40 ILCS 5/2-110) (from Ch. 108 1/2, par. 2-110)
7 Sec. 2-110. Service.

8 (A) "Service" means the period beginning on the day when
9 a person first became a member, and ending on the date under
10 consideration, excluding all intervening periods of
11 nonmembership following resignation or expiration of any term
12 of office.

13 (B) "Service" includes:

14 (a) Military service during war by a person who
15 entered such service while a member, whether rendered
16 before or after the expiration of any term of office;
17 plus up to 2 years of military service that need not have
18 immediately followed service as a member, and need not
19 have been served during wartime, provided that the member
20 makes contributions to the System for such service (1) at
21 the rates provided in Section 2-126 based upon the
22 member's rate of compensation on the last date as a

1 participant prior to such military service, or on the
2 first date as a participant after such military service,
3 whichever is greater, plus (2) if payment is made on or
4 after May 1, 1993, an amount determined by the Board to
5 be equal to the employer's normal cost of the benefits
6 accrued for such military service, plus (3) interest at
7 the effective rate from the date of first membership in
8 the System to the date of payment.

9 The amendment to this subdivision (B)(a) made by
10 this amendatory Act of 1993 shall apply to persons who
11 are active contributors to the System on or after
12 November 30, 1992. A person who was an active
13 contributor to the System on November 30, 1992 but is no
14 longer an active contributor may apply to purchase
15 military credit under this subdivision (B)(a) within 60
16 days after the effective date of this amendatory Act of
17 1993; if the person is an annuitant, the resulting
18 increase in annuity shall begin to accrue on the first
19 day of the month following the month in which the
20 required payment is received by the System. The change
21 in the required contribution for purchased military
22 credit made by this amendatory Act of 1993 shall not
23 entitle any person to a refund of contributions already
24 paid.

25 (b) Service as a judge of a court of this State,
26 but credit for such service is subject to the following
27 conditions: (1) such person shall have been a member for
28 at least 4 years and contributed to the system for
29 service as a judge subsequent to July 8, 1947, at the
30 rates herein provided, including interest at 2% per annum
31 to the date of payment based on the salary in effect
32 during such service; (2) the member was not an eligible
33 member of nor entitled to credit for such service in any
34 other retirement system in the State maintained in whole

1 or in part by public contributions; and (3) the last 4
2 years of service prior to retirement on annuity was
3 rendered while a member.

4 (c) Service as a participating employee under
5 Articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
6 17 or 18 of the Illinois Pension Code. Credit for such
7 service may be established by a member and, if permitted
8 by the credit transfer Section of the appropriate
9 Article, by a former member who is not yet an annuitant,
10 and is subject to the following conditions: (1) that the
11 credits accrued under the above mentioned Articles have
12 been transferred to this system; and (2) that the member
13 has contributed to this system an amount equal to (i) the
14 contribution rate in effect for participants at the date
15 of membership in this system multiplied by the salary
16 then in effect for members of the General Assembly for
17 each year of service for which credit is being
18 transferred, plus (ii) the State's share of the normal
19 cost of benefits under this system expressed as a percent
20 of payroll, as determined by the system's actuary as of
21 the date of the participant's membership in this system,
22 multiplied by the salary then in effect for members of
23 the General Assembly, for each year of service for which
24 credit is being transferred, plus (iii) interest on items
25 (i) and (ii) above at 6% per annum compounded annually,
26 from the date of membership to the date of payment by the
27 participant, less (iv) the amount transferred to this
28 system on behalf of the participant on account of service
29 rendered while a participant under the above mentioned
30 Articles.

31 (d) Service, before October 1, 1975, as an officer
32 elected by the people of Illinois, for which creditable
33 service is required to be transferred from the State
34 Employees' Retirement System to this system by this

1 amendatory Act of 1975.

2 (e) Service rendered prior to January 1, 1964, as a
3 justice of the peace or police magistrate or as a civil
4 referee in the Municipal Court of Chicago, but credit for
5 such service may not be granted until the member has paid
6 to the system an amount equal to (1) the contribution
7 rate for participants at the date of membership in this
8 system multiplied by the salary then in effect for
9 members of the General Assembly for each year of service
10 for which credit is being transferred, plus (2) the
11 State's share of the normal cost of benefits under this
12 system expressed as a percent of payroll, as determined
13 by the system's actuary as of the date of the
14 participant's membership in this system, multiplied by
15 the salary then in effect for members of the General
16 Assembly, for each year of service for which credit is
17 allowed, plus, (3) interest on (1) and (2) above at 6%
18 per annum compounded annually from the date of membership
19 to the date of payment by the member. However, a
20 participant may not receive more than 6 years of credit
21 for such service nor may any member receive credit under
22 this paragraph for service for which credit has been
23 granted in any other public pension fund or retirement
24 system in the State.

25 (f) Service before January 16, 1981, as an officer
26 elected by the people of Illinois, for which creditable
27 service is transferred from the State Employees'
28 Retirement System to this system.

29 (C) Service during any fraction of a month shall be
30 considered as a month of service.

31 Service includes the total period of time for which a
32 participant is elected as a member or officer, even though he
33 or she does not complete the term because of death,
34 resignation, judicial decision, or operation of law, provided

1 that the contributions required under this Article for such
2 entire period of office have been made by or on behalf of the
3 participant. In the case of a participant appointed or
4 elected to fill a vacancy, service includes the total period
5 from January 1 of the year in which his or her service
6 commences to the end of the term in which the vacancy occurs,
7 provided the participant contributes in the year of
8 appointment an amount equal to the contributions that would
9 have been required had the participant received salary for
10 the entire year. The foregoing provisions relating to a
11 participant appointed or elected to fill a vacancy shall not
12 apply if the participant was a member of the other
13 legislative chamber at the time of appointment or election.

14 (D) Notwithstanding the other provisions of this
15 Section, if application to transfer or establish service
16 credit under paragraph (c) or (e) of subsection (B) of this
17 Section is made between January 1, 1992 and February 1, 1993,
18 the contribution required for such credit shall be an amount
19 equal to (1) the contribution rate in effect for participants
20 at the date of membership in this system multiplied by the
21 salary then in effect for members of the General Assembly for
22 each year of service for which credit is being granted, plus
23 (2) interest thereon at 6% per annum compounded annually,
24 from the date of membership to the date of payment by the
25 member, less (3) any amount transferred to this system on
26 behalf of the member on account of such service credit.

27 (E) Notwithstanding the other provisions of this
28 Section, if application to transfer service credit from the
29 State Employees' Retirement System under paragraph (c) of
30 subsection (B) of this Section is made between the effective
31 date of this amendatory Act of the 92nd General Assembly and
32 July 1, 2002, the contribution required shall be calculated
33 without the inclusion of any interest under item (iii) of
34 that paragraph (c).

1 (Source: P.A. 86-27; 86-1028; 87-794; 87-1265.)

2 (40 ILCS 5/14-105.1) (from Ch. 108 1/2, par. 14-105.1)

3 Sec. 14-105.1. Transfer to Article 2, 5, and 12
4 retirement systems.

5 (a) Any active (and until February 1, 1993, any former)
6 member of the General Assembly Retirement System may apply
7 for transfer of his or her credits and creditable service
8 accumulated under this System to ~~the-General-Assembly--System~~
9 ~~or~~ a Fund established under Article 5 or 12 of this Code.
10 Such credits and creditable service shall be transferred
11 forthwith. Payment by this System to ~~the-General-Assembly~~
12 ~~Retirement-System-or~~ the Fund established under Article 5 or
13 12 shall be made at the same time and shall consist of:

14 (1) the amounts accumulated to the credit of the
15 applicant, including regular interest, on the books of
16 the System on the date of transfer; and

17 (2) employer contributions in an amount equal to
18 the amount of member contributions as determined under
19 subparagraph (1).

20 Participation in this System as to any credits transferred
21 under this Section shall terminate on the date of transfer.

22 (a-5) Any active member of the General Assembly
23 Retirement System may apply for transfer of all or a part of
24 his or her credits and creditable service accumulated under
25 this System to the General Assembly Retirement System.
26 Payment by this System to the General Assembly Retirement
27 System shall be made at the same time and shall consist of:

28 (1) the amounts accumulated to the credit of the
29 applicant for the credits to be transferred, including
30 regular interest, on the books of the System on the date
31 of transfer; and

32 (2) employer contributions in an amount equal to
33 the amount of member contributions as determined under

1 subparagraph (1).
2 Participation in this System as to any credits transferred
3 under this subsection shall terminate on the date of
4 transfer.

5 (b) An active (and until February 1, 1993, a former)
6 member of the General Assembly who has service credits and
7 creditable service under the System may establish additional
8 service credits and creditable service for periods during
9 which he was an elected official and could have elected to
10 participate but did not so elect. Service credits and
11 creditable service may be established by payment to the
12 System of an amount equal to the contributions he or she
13 would have made if he or she had elected to participate, plus
14 regular interest to the date of payment.

15 (c) An active (and until February 1, 1993, a former)
16 member of the General Assembly Retirement System may
17 reinstate service and service credits terminated upon receipt
18 of a separation benefit, by payment to the System of the
19 amount of the separation benefit plus regular interest
20 thereon to the date of payment.

21 (Source: P.A. 86-27; 86-273; 86-1028; 86-1488; 87-794.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."